

**MINUTES OF THE REGULAR MEETING OF THE
CHARLOTTE COUNTY CODE ENFORCEMENT BOARD
18500 Murdock Circle, Room 119
Port Charlotte, Florida**

JANUARY 4, 2012

❖Cases may not always be heard in the order as they appear on the agenda❖

I. CALL TO ORDER

Chairman *Alan LeBeau* called the meeting to order at 9:00 am.

II. ROLL CALL

Members Present:

Alan LeBeau
Richard Adomatis
Edward Callahan
Kathy Damewood
Suzy Hackett
Joan Hayes
Charles Lindberg

III. SWEARING IN OF ALL THOSE GIVING TESTIMONY

Mike Wilson, Board Attorney, administered oath to those who gave testimony.

IV. NEXT MEETING DATE: February 1, 2012

V. APPROVAL OF MINUTES

None

VI. AGENDA CHANGES

The following Affidavits of Non-Compliance were pulled for discussion:

**Case No. 2009-308
Case No. COD-10-00222
Case No. COD-10-00478
Case No. COD-10-00479
Case No. COD-10-01563
Case No. COD-11-00614**

VII. CONSENT - AFFIDAVITS OF NONCOMPLIANCE FINES

All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If discussion is desired by a member of the Board, that item(s) will be removed from the Consent Agenda and considered separately. **Each case has been assessed with an additional \$18.50 for the cost of recording the lien.**

- A. **Case No. 2009-162**, Rebecca Ann Jones, 132 Darrow St, Port Charlotte – Third Affidavit of Noncompliance - \$20,0818.50.
- B. **Case No. 2009-255**, Jesse Cueto, 5430 Hoffman Street, Port Charlotte – Third Affidavit of Noncompliance - \$11,818.50.
- C. **Case No. 2009-277**, Preston A. Vulgamore, 3485 Sage Street, Port Charlotte – Sixth Affidavit of Noncompliance - \$9,118.50.
- D. **❖Case No. 2009-308**, Jose Feliciano, Jr. & Ewa Syrociak-Feliciano, 18554 Satsuma Avenue, Port Charlotte – Sixth Affidavit of Noncompliance - \$11,418.50.

Jose Felician, Jr. and *Lyndon Reinwald*, Certified Code Enforcement Officer, and provided testimony to the Board.

Kathy Damewood moved to **DENY** the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Suzy Hackett* and was passed unanimously.

- E. **Case No. 2009-375**, Lauren Maxwell, 1444 Rommel Street, Port Charlotte – Third Affidavit of Noncompliance - \$15,818.50.
- F. **Case No. 2009-384**, Grande Harbour Corporation, 5000 Tamiami Trail, Port Charlotte – Third Affidavit of Noncompliance - \$468.50.
- G. **Case No. 2009-09-0319C**, Daysi Berganza, 9574 Arsipe Circle, Port Charlotte – Second Affidavit of Noncompliance - \$118.50.
- H. **Case No. COD-10-00024**, Alitzah Owens, 21298 Gladis Avenue, Port Charlotte – Fifth Affidavit of Noncompliance - \$10,418.50.

- I. **Case No. COD-10-00124**, Nicholas P. Mitchell, Rachel. J. Thorpe, and Chase Home Financial, LLC, 972 Roseway Terrace NW, Port Charlotte – Fourth Affidavit of Noncompliance - \$9,218.50.
- J. ❖**Case No. COD-10-00222**, Osvaldo Cabrera, 9638 Spring Circle, Port Charlotte – Second Affidavit of Noncompliance - \$118.50.

Annette Castillo was present on behalf of the lender and provided testimony to the Board.

Joan Hayes moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* and was passed unanimously.

- K. **Case No. COD-10-00249**, Elizabeth M. Scharmberg, 672 Edgemere Street, Port Charlotte – Fourth Affidavit of Noncompliance - \$9,218.50.
- L. ❖**Case No. COD-10-00478**, Walcott Allen & Beverlin Allen, 3173 Pellam Boulevard, Port Charlotte –Affidavit of Noncompliance - \$118.50.

Walcott Allen was present and provided testimony to the Board.

Kathy Damewood moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Suzy Hackett* and was passed unanimously.

- M. ❖**Case No. COD-10-00479**, Walcott Allen & Beverlin Allen, 3165 Pellam Boulevard, Port Charlotte –Affidavit of Noncompliance - \$118.50.

Walcott Allen was present and provided testimony to the Board.

Kathy Damewood moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Richard Adomatis* and was passed unanimously.

- N. **Case No. COD-10-00606**, Oscar Lazo, 140 Flanders Street, Port Charlotte – Second Affidavit of Noncompliance - \$12,018.50.

- O. **Case No. COD-10-00928**, Felix Navedo Valle & Ana Navedo, 3340 Edgehill Terrace, Port Charlotte - Affidavit of Noncompliance - \$493.50.
- P. **Case No. COD-10-01013**, Brian Schebel, Jennifer Walker, & LaSalle Bank National Association, 21354 Percy Avenue, Port Charlotte – Third Affidavit of Noncompliance - \$2,438.50.
- Q. **Case No. COD-10-01121**, U.S. Bank, National, Association, 2424 Warne Street, Port Charlotte – Second Affidavit of Noncompliance - \$10,918.50.
- R. **Case No. COD-10-01135**, Ronald P. Chomko & Barbara Ayn Chomko, 3119 Cabaret Street, Port Charlotte – Third Affidavit of Noncompliance - \$9,218.50.- **Continued**
- S. ♦**Case No. COD-10-01563**, Atlas FL I SPE, LLC, 11701 Anglers Club Drive, Placida – Second Affidavit of Noncompliance - \$12,418.50.

Donald Ulzheimer was present and provided testimony to the Board. He stated his company is on the process of trying to get the permit to demolish the building.

Kathy Damewood moved to continue this Affidavit to the March 7, 2012 meeting. The motion was seconded by *Richard Adomatis* and was passed unanimously.

- T. **Case No. COD-10-01291**, Alfonso S. Lloyd & Avril M. Lloyd, 21929 Felton Avenue, Port Charlotte - Second Affidavit of Noncompliance - \$8,043.50.
- U. **Case No. COD-10-01723**, Olga E. James, 20208 Midway Boulevard, Port Charlotte – Third Affidavit of Noncompliance - \$9,518.50.
- V. **Case No. COD-11-00149**, Charles Klaes & Karen M. Klaes, 18191 Summerdown Avenue, Port Charlotte – Second Affidavit of Noncompliance \$12,318.50.
- W. **Case No. COD-11-00507**, Philip Sorenson & Lois B. Sorenson, 1618 Harbor Boulevard, Port Charlotte – Second Affidavit of Noncompliance - \$138.50.
- X. **Case No. COD-11-00545**, Paladin Financial, Inc., & Astoria Homes, 3420 Croton Terrace, Port Charlotte – First Affidavit of Noncompliance - \$633.50.

- Y. ❖**Case No. COD-11-00614**, *A Plus Auto Service, & Jack and Stacy Enterprises, Inc., 909 Kings Highway, Port Charlotte - Second Affidavit of Noncompliance \$118.50.*

Vuolo Nicholas was present and provided testimony to the Board.

Richard Adomatis moved to approve the fine as stated in the Affidavit of Noncompliance. The motion was seconded by *Suzy Hackett* and was passed unanimously.

- Z. **Case No. COD-11-00835**, *Michael Curtis & Angela Zammuto, 749 Clearview Drive, Port Charlotte – Affidavit of Noncompliance - \$118.50.*
- AA. **Case No. COD-11-00911**, *Mario Escalera & Carleen Escalera, 21387 Meehan Avenue, Port Charlotte – Affidavit of Noncompliance - \$516.50.*
- BB. **Case No. COD-11-00990**, *Charles A. Wendell, Jr. & Donna Wendell, 3453 Westlund Terrace, Port Charlotte – Affidavit of Noncompliance - \$493.50.*
- CC. **Case No. COD-11-01034**, *Joseph A. Gaeta, 21434 Gladis Avenue, Port Charlotte – Affidavit of Noncompliance – \$141.50.*
- DD. **Case No. COD-11-01425**, *Daniel J. Larsen & GMAC Mortgage, LLC, 3408 Easy Street, Port Charlotte – Affidavit of Noncompliance - \$1,006.00.*

Kathy Damewood moved to approve the fines as stated in the Affidavits of Noncompliance with the exception of **Case No. 2009-308**, **Case No. COD-10-00222**, **Case No. COD-10-00478**, **Case No. COD-10-00479**, **Case No. COD-10-01563**, and **Case No. COD-11-00614**. The motion was seconded by *Suzy Hackett* and was passed unanimously.

VIII **OLD BUSINESS**
 None

IX. **NEW BUSINESS**

Case No. COD-10-01408, *Suzanne McCarthy, 25257 Punta Madryn Avenue, Punta Gorda [FBC Sections 105.1, 105.4, & 109.3; & IMPC Sections 302.1, 305.1, 305.3, 501.2, 601.2, 604.3, & 605.1]*

Charlie Bush Certified Code Compliance Officer provided testimony and presented supporting documents.

Jabin Niles who rents the home provided testimony and presented photographs for the Boards review.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; to take the necessary steps to renew the expired permit; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

Case No. COD-11-02318, Shirley A. Caudill & Wells Fargo Bank, N.A., 21347 Percy Avenue, Port Charlotte [Sections 3-9-5(b) & 3-9-32(d)(f); & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 304.1, 304.2, 304.6, 304.7, 304.15, 305.1, 309.1, 309.2, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Annette Castillo was present and represented the Bank in this matter. She provided testimony to the Board.

Suzy Hackett moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

Case No. COD-11-01534, Neal E. Creese, 16085 Goldenrod Drive,
Punta Gorda [Section 3-9-5(b) & FBC Section 105.1]

Tom Gravagna Certified Code Compliance Officer provided testimony to the Board.

Neal Creese was present and provided testimony to the Board. He asked the Board to grant him a two month continuance in this matter.

Kathy Damewood moved to continue this case to the March 7, 2012, meeting. The motion was seconded by *Suzy Hackett* with one (1) opposing vote *Joan Hayes*.

Case No. COD-11-01821, Geroy Neal, Jr. & Johnanne Neal, 18096
Windingvill Avenue, Port Charlotte [Section 3-9-5(b); & FBC Section
105.1; & IPMC Sections 301.3 & 304.7]

Lyndon Reinwald Certified Code Compliance Officer provided testimony and presented supporting documents and photographs.

Richard Adomatis moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Suzy Hackett* and was passed unanimously.

Case No. COD-11-02391, William P. Speidell & Karen Speidell, 179
Capatola Street, Port Charlotte [Sections 3-9-32(d) & 3-9-82.1; & IPMC
Sections 301.3, 302.7, 303.1, 304.7, & 304.15] Served

Lyndon Reinwald Certified Code Compliance Officer provided testimony and presented supporting documents.

Suzy Hackett moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to clear the zoning violation; to fix, repair, or replace the International Property Maintenance Code violations; and obtain any necessary permits to bring the property into compliance and

all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-10-01822, Mary Rand, 3222 DeSoto Drive & 3219 Highlands Road, Punta Gorda [Sections 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1]

This case was continued.

Case No. COD-11-00438, Alphonse Gibbs, 25381 Narwhal Lane, Punta Gorda, [FBC Sections 105.1, 105.4, & 109.3]

Charlie Bush Certified Code Compliance Officer provided testimony and presented supporting documents and photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to take the necessary steps to renew the expired permit; to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code; or remove all improvements from the property. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-11-02304, Hajra S. Bholat, 250 Mark Twain Lane, Rotonda West [FBC Sections 105.4 & 109.3]

Darcie Nicolosi Certified Code Compliance Officer provided testimony, presented supporting documents, and photographs.

Joan Hayes moved the Respondent is in violation as charged. The Respondent has

30 days from the rendition of this Order to take the necessary steps to renew the expired permit or remove all improvements from the property. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Charles Lindberg* and was passed unanimously.

Case No. COD-11-02476, *Suntrust Mortgage, Inc., 10 Beacon Drive, Placida [FBC Sections 105.4 & 109.3; & IPMC Sections 301.2 & 301.3]*

Darcie Nicolosi Certified Code Compliance Officer provided testimony and presented supporting documents and photographs.

Joan Hayes moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance and to take the necessary steps to renew the expired permit or remove all improvements from the property. All final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Charles Lindberg* and was passed unanimously.

Case No. COD-11-02477, *Barbara Mayra Marta, 15369 Visalia Road, Port Charlotte [FBC Sections 105.4 & 109.3; & IPMC Sections 301.2 & 301.3]*

Darcie Nicolosi Certified Code Compliance Officer provided testimony and presented supporting documents and photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance and to secure the pool in accordance with the Florida Building Code 424.2.17; to take the necessary steps to renew the expired permit; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by *Charles Lindberg* and was passed unanimously.

Case No. COD-11-02296, Rodolfo Barreneche & Margarita Barreneche, 21275 Glendale Avenue, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & IPMC Sections 301.2, 301.3, 304.13, & 304.13.1]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Richard Adomatis moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to clear the zoning violation; to fix, repair, or replace the International Property Maintenance Code violations; and obtain any necessary permits to bring the property into compliance and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Joan Hayes* and was passed unanimously.

Case No. COD-11-02315, Richard Dingee, Jr. & US Bank National Association, 21875 Hernando Avenue, Port Charlotte [Sections 2-5-72, 3-2-115, 3-2-214, 3-2-215, 3-9-5(b), 3-9-32(d) & 3-9-82.1; & FBC Section 105.1; & IPMC 301.2, 301.3, 302.1, 302.7, 304.1, 304.7, 304.13, 304.13.1, 304.15, 305.1, & 305.3]

The County voluntarily dismissed the case against US Bank National Association.

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to comply with Section 3-2-115; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Richard Adomatis* and was passed unanimously.

Case No. COD-11-02317, Wells Fargo Bank, N.A., 3141 Crestwood Circle, Port Charlotte [Sections, 2-5-72, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 108.1, 108.1.1, 108.1.3, 108.1.5, 108.1.5(3), (7), & (9), 108.2.1, 108.3, 108.6, 301.2, 301.3, 302.5, 304.2, 304.7, 304.15, 305.1, 305.3, 309.1, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code or obtain a demolition permit to remove the structure from the property. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Charles Lindberg** and was passed unanimously.

Case No. COD-11-02349, U.S. Mortgage Finance II, LLC, 2748 Starlite Lane, Port Charlotte [Sections 2-5-72, 3-2-115, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 301.3, 302.1, 302.7, 304.2, 304.7, 304.13, 304.13.1, 304.15, 305.1, 505.1, 505.4, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Charles Lindberg moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to comply with Section 3-2-115; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall

be assessed in addition to any fines and costs. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-11-02387, Region Bank, 3461, Westlund Terrace, Port Charlotte [Sections 3-2-115, 3-2-214, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 301.2, 304.1, 304.2, 304.13, & 304.13.1]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Richard Adomatis moved the Respondent is in violation as charged with the exception of Sections 3-2-214, 3-9-32(d), and 3-9-82.1; and IMPC Sections 301.2, 304.1, 304.2, 304.13, and 304.13.1. The Respondent has 30 days from the rendition of this Order to comply with Section 3-2-115 and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Charles Lindberg* with three (3) opposing votes *Alan LeBeau*, *Kathy Damewood*, and *Joan Hayes*.

Case No. COD-11-02599, Rodger R. Buzard, 2191 Hariet Street, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1; & IPMC Sections 301.2, 301.3, 302.1, 304.13, & 304.13.1]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violation; to fix, repair, or replace the International Property Maintenance Code violations; and obtain any necessary permits to bring the property into compliance and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Suzy*

Hackett and was passed unanimously.

Case No. COD-11-02653, Zdenka Rozsypalkova, 21123 Glendale Avenue, Port Charlotte [Sections 2-5-72, 3-9-32(d), & 3-9-82.1]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Charles Lindberg moved the Respondents are in violation as charged. The Respondents have 15 days from rendition of this Order to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-11-02659, Linda Nicholson & LJJ Mortgage Pool, LLC, 21306 Stillwater Avenue, Port Charlotte [IPMC Sections 108.1, 108.1.3, 108.2, 301.2, 301.3, 302.5, 304.1, 304.6, 304.13, 304.13.1, 304.14, 304.15, 305.1, 305.3, 309.1, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Richard Lindberg moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations and if necessary, all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by *Kathy Damewood* and was passed unanimously.

Case No. COD-11-02775, Derek L. Snider, 3357 Edgehill Terrace, Port Charlotte [Section 2-5-72]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented photographs.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 15 days from rendition of this Order to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violation. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Suzy Hackett** and was passed unanimously.

Case No. COD-11-02822, Eric Rajnish, 22448 Hernando Avenue, Port Charlotte [Sections 2-5-72, 3-9-5(b), 3-9-32(d), & 3-9-82.1; & FBC Section 105.1; & IPMC Sections 108.1, 108.1.3, 108.1.5(7), 108.2, 301.2, 301.3, 302.1, 302.5, 302.7, 304.1, 304.2, 304.6, 304.13, 304.13.1, 304.14, 304.15, 305.1, 305.3, 308.1, 309.1, 501.2, 504.2, 505.1, 505.4, & 604.3]

Rhonda Leonard Certified Code Compliance Officer provided testimony and presented supporting documents.

Charles Lindberg moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to clear the zoning violations; to fix, repair, or replace the International Property Maintenance Code violations to bring the property into compliance; and to apply for and obtain all necessary permits. If the application for the permit is rejected, new plans shall be resubmitted within 5 days from the date of rejection; and all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$200.00 per day. A cease and desist order is issued for 2 years for the zoning violations. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Kathy Damewood** and was passed unanimously

Case No. COD-11-01679, Kerry E. Hoffman, Mikelyn Hoffman, James Redden, & Lula Redden, Trustees of the James Redden & Lula Redden, Revocable Trust, 1170 Taffy Drive, Punta Gorda [Sections 3-9-37(d) & 3-9-82.1; & IPMC Sections 302.1 & 304.1]

The County will voluntarily dismiss the case against James Redden and Lula Redden.

Tom Gravagna Certified Code Compliance Officer provided testimony and presented photographs.

Richard Adomatis moved the Respondents are in violation as charged with the exception of IMPC Sections 302.1 and 304.1. The Respondents have 15 days from rendition of this Order to bring the property into compliance. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. A cease and desist order is issued for 2 years. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Suzy Hackett** and was passed unanimously.

Case No. COD-11-02906, Glenn Blondun & Kim Blondun, 308 Darst Avenue, Punta Gorda [Section 3-9-32(d) & FBC Sections 105.4.1.1, 105.4.1.2, 109.3, & 424.2.17)

Tom Gravagna Certified Code Compliance Officer provided testimony, supporting documents, and presented photographs.

Richard Adomatis moved the Respondents are in violation as charged. The Respondents have 30 days from the rendition of this Order to take the necessary steps to renew the expired permit or remove all improvements from the property and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Charles Lindberg** and was passed unanimously.

Case No. COD-11-01845, Christine Koronski, 3573 Port Charlotte Boulevard, Port Charlotte [IPMC Sections 301.2, 304.1, 304.7, & 604.1]

Ric Towne Certified Code Compliance Officer provided testimony, supporting documents, and presented photographs.

Suzy Hackett moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to fix, repair, or replace the International Property Maintenance Code violations and if necessary, all final inspections must be done in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. Upon failure to comply, the Clerk shall notify the Board of County Commissioners for abatement. All reasonable costs of abatement, if necessary, shall be assessed in addition to any fines and costs. The motion was seconded by **Richard Adomatis** and was passed unanimously.

Case No. COD-10-01484, *Alvin V. Bracey, 13546 Darnell Avenue, Port Charlotte [FBC Sections 105.4, & 109.3]*

Dan DeValk Certified Code Compliance Officer provided testimony, presented supporting documents, and photographs.

Richard Adomatis moved the Respondent is in violation as charged. The Respondent has 30 days from the rendition of this Order to take the necessary steps to renew the expired permit and all final inspections must be obtained in accordance with the Florida Building Code. Failure to bring the property into compliance or to stay in compliance shall be punished by a fine of \$100.00 per day. The motion was seconded by *Charles Lindberg* with two (2) opposing votes *Kathy Damewood* and *Joan Hayes*.

Case No. COD-11-02556, *New Life International Christian Center of Port Charlotte, Inc., 1255 Kingsland Street, Port Charlotte [FBC Sections 105.4, & 109.3]*

This case was continued by the County.

XII STAFF/BOARD MEMBER COMMENTS:


Kira Honse, Assistant County Attorney, announced that Mr. Weaver has filed an appeal with the Courts.

XIII. ADJOURNMENT

Richard Adomatis moved to adjourn the meeting. Motion was seconded by *Charles Lindberg* and was passed unanimously. The meeting adjourned at 11:32 am.

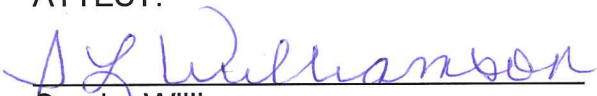
**CODE ENFORCEMENT BOARD MINUTES FOR DECEMBER 7, 2011
READ AND APPROVED ON February 1, 2012**

CODE ENFORCEMENT BOARD OF
CHARLOTTE COUNTY, FLORIDA



Alan L. LeBeau, Chairman

ATTEST:



Sandra Williamson
Administrative Assistant I

Complete files of all cases, as well as taped recordings of all proceedings of this meeting, are kept in the Community Development Department and are available to the public.